

Case 1:15-cv-00110-DC Document 4364-1 Filed 12/28/16 Page 1 of 3

**LETTERS OF CONSERVATORSHIP
FOR A PROTECTED PERSON**

Docket No.
16P4883PM

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court

In the Interests of:

ZACHARY
First Name

T
Middle Name

MACDONALD
Last Name

Protected Person

Middlesex Division

208 Cambridge Street

P.O. Box 410-480

East Cambridge, MA 02141

(617) 768-5800

I, Tara De Cristofaro, Register of Probate for the County of Middlesex
hereby certify that

GEOFFREY MACDONALD
(name)

of

BOSTON
(City/Town)

MA
(State)

LAUREN ROWNTREE
(name)

of

HOPKINGTON
(City/Town)

MA
(State)

was/were appointed on OCTOBER 26, 2016 as:
(date)

- ☒ Conservator pursuant to G.L. c. 190B, §5-401. The appointment is a determination that the Protected Person is disabled for reasons ☐ of minority ☐ other than minority. The Conservator may exercise the powers conferred by G.L. c. 190B, §§5-423(1-7) and (14-29) unless limited below and such other powers as are specified in the Decree and Order of Appointment.
- ☐ The Conservator was appointed before July 1, 2009 as Guardian of the Estate.

- ☐ Temporary Conservator pursuant to G.L. c. 190B, §5-412A (b). The appointment is NOT a final determination of the Protected Person's incapacity pursuant to G.L. c. 190B, §5-101(9) or disability pursuant to G.L. c. 190B, §5-401(c). The Temporary Conservator may exercise ONLY the powers granted in the Order of Appointment.

THESE LETTERS EXPIRE ON _____

(date)

- ☐ Special Conservator pursuant to G.L. c. 190B, §5-412A (c). The appointment is NOT a final determination of the Protected Person's incapacity pursuant to G.L. c. 190B, §5-101(9) or disability pursuant to G.L. c. 190B, §5-401(c). The Special Conservator may exercise ALL and ONLY the powers granted to the Conservator in the Decree and/or Order of Appointment dated _____

(date)

THESE LETTERS EXPIRE ON _____ until which date the authority of the
(date)
previously appointed Conservator is suspended.

- ☐ Special Conservator pursuant to G.L. c. 190B, §5-408 (c). The appointment is NOT a final determination of the Protected Person's incapacity pursuant to G.L. c. 190B, §5-101(9) or disability pursuant to G.L. c. 190B, §5-401(c). The Special Conservator may exercise ONLY the powers granted in the Order of Appointment. THESE LETTERS EXPIRE UPON THE DISCHARGE OF THE SPECIAL CONSERVATOR BY SEPARATE ORDER OF THE COURT.

These Letters confirm the transfer of the property of the Protected Person to the named Conservator as fiduciary except for the following:

These Letters confirm the named Conservator's authority to act with regard to the property and business interests of the Protected Person except for the following limitations:

These Letters confirm that the named Conservatory has accepted appointment by filing a bond approved by the Court containing a statement of acceptance of the duties of the office.

CERTIFICATION

I further certify that it appears by the records of this Court that said appointment remains in full force and effect.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said Court,

Tara De Cristofaro

DECREE AND ORDER OF APPOINTMENT OF CONSERVATOR		Docket No. <u>16P4882PM</u>	Commonwealth of Massachusetts The Trial Court Probate and Family Court
In the Interests of: <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <u>Zachary</u> <small>First Name</small> </div> <div style="text-align: center;"> <u>T.</u> <small>Middle Name</small> </div> <div style="text-align: center;"> <u>MacDonald</u> <small>Last Name</small> </div> </div> Protected Person		Middlesex Division <div style="text-align: right; margin-top: 20px;"> <u>9/21/2016</u> </div>	

After hearing on the Petition for Appointment of Conservator filed on

The Court finds the requirements of G.L. c. 190B, §5-407(b) have been met and a basis exists for the conservatorship.

The Court appoints the following person(s) as Conservator(s) (hereafter "Conservator") of the Protected Person who is ☐ a minor. ☒ a disabled person.

1. Name: Geoffrey MacDonald
First Name Last Name
23 Bay State Road #8 Boston MA 02215
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)
 Primary Phone #: (617) 859-5853
2. Name: Lauren Rowntree
First Name Last Name
6 Valentine Road Hopkington MA 01748
(Address) (Apt, Unit, No. etc.) (City/Town) (State) (Zip)
 Primary Phone #: (508) 453-9274

The appointment of a Conservator is not a determination of incapacity of the Protected Person.

Except as limited below, the Conservator shall have:

- ☒ All powers over the property and business affairs of the Protected Person which are or may be necessary for the best interest of the Protected Person and the Protected Person's immediate family pursuant to G. L. c. 190B, §§5-423(c) (1-7) & (14-24) (unless otherwise limited by this Decree).
- ☐ The following additional powers for minor Protected Persons pursuant to G. L. c. 190B, §5-407(c). (See Separate Findings):
- ☐ The following additional powers for adult Protected Persons pursuant to G. L. c. 190B, §5-407(d), counsel having been appointed and a substituted judgment having been made (See Separate Findings):
- ☐ The above powers and duties of the Conservator are limited by the following restrictions:
- ☐ The powers and duties of the Conservator DO NOT include those powers retained by the Protected Person as set forth in Exhibit A which is incorporated and merged herein.

In the Interests of: Zachary T. MacDonald
 First Name Middle Name Last Name

The Court orders the following:

1. The Conservator shall file with the Court a Conservator's Inventory within ninety (90) days of this appointment unless otherwise ordered by this Court.
2. ☐ The Conservator shall file with the Court a Conservator's Plan for managing, expending and distributing the assets of the Protected Person's estate with the Court on or by _____
 (date)
3. The Conservator shall file with the Court a Conservator's Account one year from the date of this appointment unless otherwise ordered by the Court and annually thereafter until the Conservator's appointment is terminated unless otherwise ordered by the Court. **The first Account of the Conservator must be presented for allowance within fifteen (15) months of the date of this Decree unless otherwise ordered by the Court.**

Forms are available at the Court's Registry office or online at the Court's Web site.

4. The Conservator(s) shall serve:
 - ☒ without surety on his, her or their bond:
 - ☒ because the person has a priority of appointment under G. L. c. 190B, §5-409(a)(1) and the person nominating the Conservator expressly waived the requirement.
 - ☐ for the following good cause:

☐ with personal or corporate surety on his, her or their bond in the amount of _____
 pursuant to G.L. c. 190B, §5-410.

NO LETTERS OF CONSERVATORSHIP SHALL ISSUE UNTIL THE BOND IS FILED AND APPROVED.

5. The appointment of counsel in this matter, if any, shall terminate upon the entry of this Decree unless otherwise ordered by this Court.
6. The Court grants the following additional powers including those powers enumerated at G. L. c. 190B, §§5-423(c) (8-13) specified below:
7. ☐ The parties shall comply with a stipulation or agreement of the parties dated _____
 which is filed with the Court and expressly made a part of this Decree and Order. (date)
8. If this conservatorship was issued on the basis of minority, the conservatorship shall terminate when the protect person attains majority.
9. **The Court further orders:**

OCT 26 2016

Date _____


 JUSTICE OF THE PROBATE AND FAMILY COURT